

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

BANK OF AMERICA, N.A.,  
 Plaintiff(s),

vs.

DESERT PINE VILLAS HOMEOWNERS  
 ASSOCIATION, et al.,  
 Defendant(s).

Case No. 2:16-cv-00725-JCM-NJK  
 ORDER  
 (Docket No. 25)

Pending before the Court is Defendant SFR Investment Pools 1, LLC's ("Defendant") motion to strike Plaintiff's demand for security costs pursuant to NRS 18.130(1). Docket No. 25. Plaintiff filed a response, and Defendant filed a reply. Docket Nos. 26, 27. The Court finds this matter properly resolved without oral argument. *See* LR 78-1.

On June 2, 2016, Plaintiff filed a motion for demand for security costs. Docket No. 18. That filing characterizes Defendant as an out-of-state resident and, therefore, demands that Defendant post a cost bond pursuant to NRS 18.130(1). *Id.* at 1-3. Defendant failed to respond to that motion. *See* Docket.

On June 14, 2016, Defendant filed the motion to strike presently before the Court. Docket No. 25. Defendant asks the Court to strike Plaintiff's demand for security costs as a fugitive document because, it claims, the motion distorts both the facts and Nevada law. *Id.* at 3.

1 Federal courts disfavor motions to strike. *Holt v. U.S. Bank N.A.*, 2012 WL 1898895, \*1 (D.  
2 Nev. May 23, 2012). “[M]otions to strike should not be granted unless it is clear that the matter to be  
3 stricken could have no possible bearing on the subject matter of the litigation.” *Id.* (quoting *Colaprico*  
4 *v. Sun Microsystems, Inc.*, 758 F.Supp. 1335, 1339 (N.D. Cal. 1991)). “Whether to grant a motion to  
5 strike lies within the sound discretion of the district court.” *Roadhouse v. Las Vegas Metro. Police*  
6 *Dep’t*, 290 F.R.D. 535, 543 (D. Nev. 2013)

7 Defendant cites no authority to support its contention that filings containing differing views of  
8 the law and facts must be stricken as a “fugitive document.” *See, e.g.*, Docket No. 25 at 3. Defendant’s  
9 failure to cite authority supporting its argument is, in itself, fatal. LR 7-2(d). In any event, the Court  
10 cannot find that reasonable disagreements regarding the law and facts are sufficient to support the  
11 request to strike. *Holt*, 2012 WL 1898895 at \*1 (finding contention that party “distorted reality” was  
12 insufficient to strike filing).

13 Accordingly, Defendant’s motion to strike, Docket No. 25, is **DENIED**.

14 IT IS SO ORDERED.

15 DATED: July 19, 2016

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17 NANCY J. KOPPE  
18 United States Magistrate Judge  
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